

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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BOOKER WILSON,

Plaintiff,

9:11-CV-1088

-v-

DONALD DEPOLO, Woodbourne Correctional  
Facility,

Defendant.

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APPEARANCES:

OF COUNSEL:

Booker Wilson, Pro Se  
03-A-4856  
Livingston Correctional Facility  
P.O. Box 91  
Sonyea, NY 14556

HON. ERIC T. SCHNEIDERMAN  
Attorney General for the State of New York  
Attorney for Defendant  
The Capitol  
Albany, NY 12224

JAMES SEAMAN, ESQ.  
Ass't Attorney General

DAVID N. HURD  
United States District Judge

**DECISION and ORDER**

Plaintiff brought this action pursuant to 42 U.S.C. § 1983. On March 21, 2012, the Honorable Andrew T. Baxter, United States Magistrate Judge, advised, by Report-Recommendation, that defendant's motion to dismiss be granted and plaintiff's complaint be dismissed in its entirety. No objections to the Report-Recommendation were filed.

Based upon a careful review of the entire file and the recommendations of the Magistrate Judge, the Report-Recommendation is accepted in whole. See 28 U.S.C. 636(b)(1).

Therefore it is

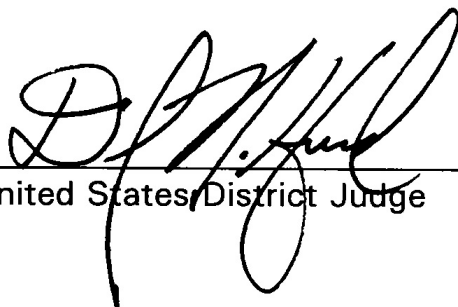
ORDERED that

1. Defendant's motion to dismiss is GRANTED; and
2. Plaintiff's complaint is DISMISSED with prejudice.

The Clerk is directed to file a judgment dismissing the complaint and close the file.

IT IS SO ORDERED.

Dated: April 19, 2012  
Utica, New York.



United States District Judge